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8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2011-507

13 **SANDRA JEAN WOODS PETERS, A.K.A.,**  
14 **SANDRA JEAN PETERS, A.K.A.,**  
15 **SANDRA JEAN WOODS**  
16 **1708 Oakwood Drive**  
17 **Roseville, CA 95661**

**A C C U S A T I O N**

18 **Registered Nurse License No. 484815**

19 Respondent.

20 Complainant alleges:

21 **PARTIES**

22 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her  
23 official capacity as the Executive Officer of the Board of Registered Nursing ("Board"),  
24 Department of Consumer Affairs.

25 **Registered Nurse License**

26 2. On or about August 31, 1992, the Board issued Registered Nurse License Number  
27 484815 to Sandra Jean Woods Peters, also known as Sandra Jean Peters, and Sandra Jean Woods  
28

1 ("Respondent"). The registered nurse license was in full force and effect at all times relevant to  
2 the charges brought herein and will expire on May 31, 2012, unless renewed.

3 **STATUTORY PROVISIONS**

4 3. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent  
5 part, that the Board may discipline any licensee, including a licensee holding a temporary or an  
6 inactive license, for any reason provided in Article 3 (commencing with section 2750) of the  
7 Nursing Practice Act.

8 4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not  
9 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or  
10 to render a decision imposing discipline on the license. Under Code section 2811, subdivision  
11 (b), the Board may renew an expired license at any time within eight years after the expiration.

12 5. Code section 2761 states, in pertinent part:

13 The board may take disciplinary action against a certified or licensed  
14 nurse or deny an application for a certificate or license for any of the following:

15 (a) Unprofessional conduct, which includes, but is not limited to, the  
16 following:

17 (4) Denial of licensure, revocation, suspension, restriction, or any other  
18 disciplinary action against a health care professional license or certificate by another  
19 state or territory of the United States, by any other government agency, or by another  
20 California health care professional licensing board. A certified copy of the decision  
21 or judgment shall be conclusive evidence of that action.

22 (f) Conviction of a felony or of any offense substantially related to the  
23 qualifications, functions, and duties of a registered nurse, in which event the record of  
24 the conviction shall be conclusive evidence thereof.

25 6. Code section 2762 states, in pertinent part:

26 In addition to other acts constituting unprofessional conduct within the  
27 meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a  
28 person licensed under this chapter to do any of the following:

(a) Obtain or possess in violation of law, or prescribe, or except as  
directed by a licensed physician and surgeon, dentist, or podiatrist administer to  
himself or herself, or furnish or administer to another, any controlled substance as  
defined in Division 10 (commencing with Section 11000) of the Health and Safety  
Code or any dangerous drug or dangerous device as defined in Section 4022.

(b) Use any controlled substance as defined in Division 10 (commencing  
with Section 11000) of the Health and Safety Code, or any dangerous drug or  
dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or

1 in a manner dangerous or injurious to himself or herself, any other person, or the  
2 public or to the extent that such use impairs his or her ability to conduct with safety to  
the public the practice authorized by his or her license.

3 (c) Be convicted of a criminal offense involving the prescription,  
consumption, or self-administration of any of the substances described in  
4 subdivisions (a) and (b) of this section, or the possession of, or falsification of a  
record pertaining to, the substances described in subdivision (a) of this section, in  
5 which event the record of the conviction is conclusive evidence thereof.

6 (e) Falsify, or make grossly incorrect, grossly inconsistent, or  
unintelligible entries in any hospital, patient, or other record pertaining to the  
7 substances described in subdivision (a) of this section.

8 7. Code section 4060 states, in pertinent part:

9 No person shall possess any controlled substance, except that furnished to  
10 a person upon the prescription of a physician, dentist, podiatrist, or veterinarian.

11 8. Health and Safety Code section 11173, subdivision (a) states:

12 No person shall obtain or attempt to obtain controlled substances, or  
13 procure or attempt to procure the administration of or prescription for controlled  
substances, (1) by fraud, deceit, misrepresentation, or subterfuge; or (2) by  
14 concealment of a material fact.

### 15 COST RECOVERY

16 9. Code section 125.3 provides, in pertinent part, that the Board may request the  
17 administrative law judge to direct a licensee found to have committed a violation or violations of  
18 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
19 enforcement of the case.

### 20 **10. Controlled Substances**

21 "Fentanyl" is a Schedule II controlled substance pursuant to Health and Safety Code  
22 section 11055, subdivision (c)(8), and a dangerous drug pursuant to Business and Professions  
23 Code section 4022, in that pursuant to federal and state law, it requires a prescription.

24 "Dilaudid" is a brand of hydromorphone hydrochloride and a Schedule II controlled  
25 substance pursuant to Health and Safety Code section 11055, subdivision (b)(1)(K), and a

26 dangerous drug pursuant to Business and Professions Code section 4022, in that pursuant to  
27 federal and state law, it requires a prescription.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Out-of-State Discipline)**

3 11. Respondent has subjected her license to discipline pursuant to Code section 2761,  
4 subdivision (a)(4), on the grounds of unprofessional conduct, in that Respondent has been  
5 disciplined by the Nevada State Board of Nursing ("Nevada Board"). Effective March 19, 2010,  
6 pursuant to the Order of Probation in Case No. 0111-10Y, the Nevada Board issued Respondent a  
7 Nevada professional nurse license as a restricted license. The restricted license was immediately  
8 revoked; however, the revocation was stayed and the license was placed on probation for a  
9 minimum of four (4) years with terms and conditions. The basis for said discipline was that in  
10 her application for licensure with the Nevada Board, Respondent included information regarding  
11 a 1995 conviction for domestic battery, and two convictions for driving under the influence of  
12 alcohol, one in 2001 and the last in 2008. With regard to the 2008 conviction, Respondent is  
13 currently on court ordered probation with requirements including fines, abstinence from alcohol,  
14 participation in an 18-month alcohol program, and two years of an interlock device on her  
15 vehicle.

16 **SECOND CAUSE FOR DISCIPLINE**

17 **(Criminal Convictions)**

18 12. Respondent has subjected her license to discipline pursuant to Code section 2761,  
19 subdivision (f) in that Respondent has been convicted of the following crimes that are  
20 substantially related to the qualifications, functions, and duties of a registered nurse:

21 a. On or about November 5, 2001, in the Superior and Municipal Courts, County of  
22 Sacramento, California, in the matter entitled *People vs. Sandra J. Peters*, 2001, Case No.  
23 01T04862, Respondent was convicted following her plea of nolo contendere to a violation of  
24 Vehicle Code section 23152, subdivision (b) (driving with a blood alcohol level of .08% or  
25 more), a misdemeanor. The circumstances of the crime are that on or about October 20, 2001,  
26 Respondent was arrested for driving with a blood alcohol level of .08% or more. Respondent's  
27 blood alcohol level measured .16% on each of the two tests performed.  
28

b. On or about October 20, 2008, in the Superior Court, County of Placer, California, in the matter entitled *People vs. Sandra Jean Peters*, 2008, Case No. 62-076953, Respondent was found guilty and convicted by a jury of a violation of Vehicle Code section 23152, subdivision (a) (driving under the influence of alcohol) and Vehicle Code section 23152, subdivision (b) (drive with a blood alcohol level over 0.08%), both misdemeanors. The circumstances of the crime are that on or about January 2, 2008, Respondent was arrested for driving under the influence of alcohol following a traffic stop. Respondent's blood alcohol level measured .08% on each of the two tests performed.

### THIRD CAUSE FOR DISCIPLINE

**(Convictions of Crimes Involving Alcohol)**

13. Respondent has subjected her license to discipline pursuant to Code section 2761, subdivision (a), on the grounds of unprofessional conduct, as defined by Code section 2762, subdivision (c), in that Respondent has been convicted of crimes involving the consumption of alcohol, as more particularly set forth in paragraph 12, above.

#### FOURTH CAUSE FOR DISCIPLINE

**(Use Alcohol to an Extent or in a Manner Dangerous or Injurious)**

14. Respondent has subjected her license to discipline pursuant to Code section 2761, subdivision (a), on the grounds of unprofessional conduct, as defined in Code section 2762, subdivision (b), in that on or about October 20, 2001, and January 2, 2008, Respondent used alcohol to an extent or in a manner dangerous or injurious to herself or others, as more particularly set forth in paragraphs 12 and 13, above.

### FIFTH CAUSE FOR DISCIPLINE

**(Obtain and Possess Controlled Substances in Violation of Law; Self-Administration)**

15. Respondent has subjected her license to discipline pursuant to Code section 2761, subdivision (a), on the grounds of unprofessional conduct, as defined in Code section 2762, subdivision (a), in that, Respondent committed the following acts:

a. On or about January 7, 2009, while on duty as a registered nurse at Kaiser Permanente, Sacramento, California Respondent obtained the controlled substance Fentanyl by

1 fraud, deceit, misrepresentation, or subterfuge by taking the drug from hospital supplies in  
2 violation of Health and Safety Code section 11173, subdivision (a).

3 b. On or about January 7, 2009, while on duty as a registered nurse at Kaiser  
4 Permanente, Sacramento, California Respondent possessed the controlled substance Fentanyl  
5 without lawful authority in violation of Code section 4022.

6 c. On or about April 15, 2010, Respondent self-administered the controlled substance  
7 hydromorphone without lawful authority.

8 **SIXTH CAUSE FOR DISCIPLINE**

9 **(Falsify, or Make Grossly Incorrect Entries in Patient/Hospital Records)**

10 16. Respondent has subjected her license to discipline pursuant to Code section 2761,  
11 subdivision (a), on the grounds of unprofessional conduct, as defined in Code section 2762,  
12 subdivision (e), in that while on duty as a registered nurse at Kaiser Permanente, Sacramento,  
13 California, Respondent falsified, made grossly incorrect, grossly inconsistent, or unintelligible  
14 entries in the following patient/hospital records:

15 **Patient A**

16 a. On January 7, 2009, at 1039 hours, Respondent withdrew 100 mcg of Fentanyl from  
17 the Pyxis system for this patient; however, this patient had already been discharged. Respondent  
18 failed to document the administration or wastage of any portion of the Fentanyl in the patient's  
19 medication administration record or otherwise account for the disposition of the 100 mcg of  
20 Fentanyl in any hospital record.

21 **PRAYER**

22 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
23 and that following the hearing, the Board of Registered Nursing issue a decision:

24 1.1. Revoking or suspending Registered Nurse License Number 484815, issued to Sandra  
25 Jean Woods Peters, also known as Sandra Jean Peters, and Sandra Jean Woods;

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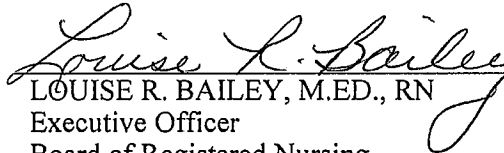
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1 1.2. Ordering to Sandra Jean Woods Peters, also known as Sandra Jean Peters, and Sandra  
2 Jean Woods to pay the Board of Registered Nursing the reasonable costs of the investigation and  
3 enforcement of this case, pursuant to Business and Professions Code section 125.3; and,

4 1.3. Taking such other and further action as deemed necessary and proper.  
5  
6

7 DATED: 12/10/10

  
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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